

**MEETING SUMMARY  
WATER QUALITY ADVISORY GROUP  
August 13, 2001**

**Members Attending**

William Anderson, agricultural community (8-8)  
Vince Berg, business community (8-8)  
John Buric, agricultural community (5-8)  
Doug Holy, environmental community (7-8)  
Robert Johnson, scientific/academic community (6-8)  
John Kuriawa, environmental community (2-2)  
Jeff Longsworth, public-at-large (6-8)  
Lynn Mayo, scientific/academic community (7-8)  
Chris Namovicz, public-at-large (8-8)  
Ben Nicholson, scientific/academic community (2-2)  
Shobhana Sharma, business community, **Chair** (7-8)  
Diane S. Shea, public-at-large (7-8)

**Public Agency Reps**

Dr. Mohammad Habibian, public agency, WSSC (8-8)  
Cameron Wiegand, public agency, DEP (8-8)  
Jeff Zyontz, public agency, M-NCPPC (5-8)

**Members Absent**

Chris Choppin, business community (1-2)  
Todd Greenstone, agricultural community (1-2)  
Kraig Walslaben, environmental community (4-8)

**Others Attending**

Keith Van Ness, DEP  
Nazir Baig, M-NCPPC  
Boyd Church, DEP  
Diane M. Davis, DEP  
Dave Lake, DEP  
Doug Redmond, M-NCPPC  
Michele Rosenfeld, M-NCPPC  
Mark Sommerfeld, DEP

**Welcome & Discussion/Approval of Agenda & Previous Month's Summary**

Ms. Shobhana Sharma opened the meeting by asking for changes to either summary or agenda. With no changes to either, Diane Shea moved to approve both, Billy Anderson seconded, and the Group unanimously concurred.

**County Stormwater Facility Maintenance Programs**

Boyd Church, DEP, gave a complete summary of this program, utilizing two handouts entitled "Stormwater Utility Funding Strategies and Recommended Rate Structure: Stormwater Conveyance and Storage Maintenance Program Implementation Study, July 2001" and "Stormwater Facility Maintenance Program Summary for FY 2001." Mr. Church went over each handout and explained highlights, including the following:

- The assigned Focus Group looked at eight primary policy issues during a three-month evaluation period; the Focus Group was comprised of County Staff from many departments, County Council Staff, consultants and Vince Berg attended representing the general public.

- The list of program elements are included in the handout.
- Task C-Development of a Rate Structure involved answering eight policy issues by the Focus Group to define a rate for a stormwater charge; he highlighted each of these issues.
- He discussed the variability of rates involving impervious surfaces, as related to condominiums vs. townhomes, vs. single family homes, vs. agricultural areas, etc.
- Bill 28-00 HAS been sent to the Council and is awaiting their approval. Council legal staff may modify the Bill to include enabling legislation for a stormwater utility charge. Changes will be introduced to the T&E committee on September 17, 2001.
- Councilmember Leggett has requested a phase in scenario for the proposed system of charges. CH2MHILL, the County's consultant, is proposing incremental charges in three phases 1-3 yrs, 4-7 yrs., and beyond 8 yrs to encompass a comprehensive program.
- He reported that DEP plans on including an educational and outreach component to the process including open houses and providing BMP manuals, to name a few.

### **Wastewater Treatment**

Dave Lake, DEP, gave hand outs to describe DEP's planned Comprehensive Water and Sewer Plan 2002 update, and referred to a map for his discussion. He explained how he coordinates regional water and sewer issues on behalf of DEP with WSSC, WASA, MWCOG, M-NCPPC and other agencies involved in developing and implementing CWSP activities. It is basically a policy document and guideline coordinated with WSSC. A key point is that 90% of sewerage discharges from the County go to the Blue Plains Wastewater Treatment Plant (WWTP) via a network of conveyance systems. Members studying the plan looked at population projections to establish what flow rates are, will be, etc. He also mentioned that the Potomac Interceptor (PI) sewer is undergoing a thorough inspection for the first time since it was built in early 1960s, this inspection was initiated last year. He also discussed a dynamic model that is being developed for the PI sewer that will evaluate pipeline capacities and allocations to users of this sewer that is also used by bordering counties such as Loudoun and Fairfax. He discussed the efforts surrounding ways to establish more accurate sewage flow factors, that, in combination with the dynamic model, will make a big difference in the accuracy of estimates of the PI capacity. Within Montgomery County, the fastest growing areas are Clarksburg and Germantown, so the Seneca WWTP plant, which is well underway, (at a cost of \$72 million) is greatly needed to handle additional capacity. He estimated that completion of the plant will occur in early 2003, at which time it will take the entire area off of the PI and this area (Seneca basin) will no longer contribute flows to the Blue Plains WWTP.

Mr. Lake expressed that it might be helpful to have a subcommittee to review and offer DEP guidance on the CWSP. Mr. Lake closed by answering questions and pointing out that the District of Columbia is the only user of the Blue Plain WWTP that exceeds its allocated capacity at the plant (even cutting into allocations of other jurisdictions) and no fixes are in the foreseeable future to remedy this.

### **Landowner Encroachment Issues**

Michele Rosenfeld, M-NCPPC, handed out a notebook on encroachment issues involving stream valley and other M-NCPPC Parkland.. She touched on the many complex aspects surrounding this problem, referring to the book for photos and greater detail. In addition to negative visual impacts, there are adverse environmental impacts, such as erosion, buffer reduction, to name just a few. She referred to one particularly egregious case which M-NCPPC followed and pursued to satisfactory recovery of the encroached land. She stated that they strive, wherever possible, to identify landowner encroachment. Because so many thousands of acres of private land abut M-NCPPC property, it makes wide-scale identification of encroachment occurrences difficult, and that most enforcement actions against encroachment are stimulated by complaints. Once encroached areas are identified, the Parks Department conducts land surveys, sends out letters of explanation, demanding cessation of mowing, clearing, filling, or whatever action constitutes the encroachment. Their Legal Department attends to the enforcement portion of cases, attempting to resolve in court any mitigation fees to return the site to pre-encroached conditions.

Mr. Wiegand, DEP, said that his Department applauds M-NCPPC efforts – as far as they go. However, he wondered how the Group might support efforts to strengthen the Parks Department’s handling of conservation easements and other especially sensitive headwater stream areas, such as Paint Branch or other Special Protection Areas. He suggested that M-NCPPC consider undertaking a more pro-active stance by identifying park areas impacted by encroachment, and by utilizing GIS and aerial photography to find areas of encroachment. He thought that a significant shift in priority from M-NCPPC managers would offer stronger protection in areas where both DEP and M-NCPPC are working towards shared goals of conservation and restoration. Targeting priority areas would yield substantial benefits to more fragile, smaller tributaries.

Ms. Rosenfeld said that letters from the WQAG to Art Holmes, the Planning Board, and the Council would be an effective way to communicate the Group’s position in support of better targeting and more aggressive enforcement. The Group agreed and clarified that it should be in the form of a Resolution. Bob Johnson volunteered (along with Ben Nicholson) to draft the resolution and send it out in advance of the next meeting for review.

### **New & Continued Business**

- Stormwater Subcommittee Update - Vince Berg had no report ready for the Group and asked that the topic be carried into September’s agenda. The Chair agreed.
- Membership Issues – The Group was ready to vote for Vice chair and the Chair asked nominees to give very brief qualification statements. Chris Namovicz offered his first, followed by Doug Holy. All voting members present [three were absent] voted, and Mr. Holy became the new Vice-chair.
- Special Protection Area Issues – Vince Berg, Diane Shea, and other members continued discussing questions surrounding how much more monitoring should occur before trends can be accurately assessed in each of the SPAs. DEP staff included Keith Van Ness, Mark Sommerfield and Cameron Wiegand who said that it is impossible to give an exact date, but offered that approximately seven years might be a window containing sufficient data to formulate a trendline that accounts for normal variability in weather, flows and the range of conditions typically encountered in assessing impacts of land use change and BMP effectiveness in mitigating these impacts. They explained that DEP continues to conduct pre- and post-construction monitoring, and that the Paint Branch area is showing positive results from some stormwater retrofit and stream restoration projects which DEP implemented to augment the SPA Program. Members were uncertain about the need for more information and what exact information was needed in order for them to take definitive action, such as a resolution or letter of support, etc. The Group closed this topic by asking to have it carried forward to September’s agenda for additional discussion; they asked for DEP to submit any other relevant information which may help members, but that DEP staff need not attend the next meeting.
- Grant Funds for Outreach Activities – A brief discussion ensued about availability of funds from the Chesapeake Bay Trust (CBT) Concept Letter. The fact sheet offered insufficient information from which to proceed, so several members (J. Kuriawa, B. Nicholson, D. Holy) volunteered to pursue the grant details further and report back to the full Group.
- Increased Electronic Communication – Mr. Kuriawa asked DEP to look into the possibility of creating a listserv or bulletin board, or comparable vehicle by which members could communicate with each other spontaneously. Ms. Davis, DEP, said she would query the County tech support staff and report back.

### **Next Month’s Topics**

- Stormwater Subcommittee Report – Subcommittee
- Special Protection Areas continued – Group
- Outreach Activities [including grant or other opportunities] – L. Mayo, J. Kuriawa, D. Holy, B. Nicholson
- Groundwater Update – S. Sharma, Chair